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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,233	04/20/2004	Hsin Mao Hsieh	HSIE3047/EM	2529

23364 7590 04/28/2005

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EXAMINER

CHIN, BRAD Y

ART UNIT	PAPER NUMBER
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1744

DATE MAILED: 04/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/827,233

Applicant(s)

HSIEH, HSIN MAO

Examiner

Brad Y. Chin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/15/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsi [U.S. Patent Publication No. 2004/0081596].

A recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations, *Ex Parte Masham*, 2 USPQ2d 1647.

Hsi teaches a radiator module with sterilizing device, comprising: a pedestal (front metal face panel 32), the pedestal having a first portion (See Specification, p. 1, [0016] – front metal face panel 32 having vertical inside locating plate 34) and a second portion (See Specification, p. 1, [0016] – front metal face panel 32 having air input port); at least one fan mounted on the second portion of the pedestal (See Figures 5-7; fans 22 mounted to the air purifier 40, which is mounted on the air input port portion of the front metal face panel 32); and a sterilizing device mounted on the first portion of the pedestal (See Specification, p. 1, [0016] – tubular ultraviolet lamp 20 mounted on vertical inside locating plate 34 above the air input port portion). Hsi fails to teach that the first portion of the pedestal defines an oblique planar surface where the sterilized device is mounted. With regards to such limitation, Hsi discloses all the featured structural limitations of the claimed invention; however, the reference fails to teach that the first portion of the pedestal defines an oblique planar surface where the sterilized device is mounted. At the time the invention was made, it would have been obvious to one of ordinary skill in the art

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to define a portion of the front metal face panel with an oblique planar surface portion where the sterilized device could be mounted because Applicant has not disclosed that an oblique-shaped planar surface provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art; furthermore, would have expected Applicant's claimed invention to perform equally well with the sterilized device mounted on a oblique-shaped planar surface as claimed or on a non-oblique-shaped planar surface, as taught by Hsi, because both design choices for a computer casing perform the same function of sterilizing the air within the computer casing to kill bacteria or viruses. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the computer casing of Hsi to obtain Applicant's claimed invention in claim 6.

Regarding claim 7, Hsi teaches the radiator module of claim 7, wherein the pedestal includes two fans (See Figures 5-7; fans 22).

Regarding claim 8, Hsi teaches the radiation module of claim 8, wherein the electronic product is a computer (See Figures 1-4; See Specification, p. 1, [0006 and 0016]).

Regarding claim 9, Hsi teaches the radiation module of claim 9, wherein the sterilizing device is an ultraviolet lamp (tubular ultraviolet lamp 20).

Regarding claim 10, Hsi teaches the radiator module of claim 10, including a coupling device for securing the pedestal on the front side of the electronic product (See Figure 1; 6 screw holes located in the corners and the middle of front metal face panel 32 for securing the panel to the front side of computer case 30).

Response to Arguments

2. Applicant's arguments, see pages 6-7, filed 15 February 2005, with respect to the rejection(s) of claim(s) 1-5, in light of the addition of claims 6-10, as anticipated by Ou Yang et.

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al. [U.S. Patent No. 6,797,044], have been fully considered but are moot in view of the new ground(s) of rejection(s), as identified above in paragraph 1.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brad Y. Chin whose telephone number is 571-272-2071. The examiner can normally be reached on Monday – Friday, 8:00 A.M. – 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sun (John) Kim, can be reached at 571-272-1142. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

byc
April 22, 2005


JOHN KIM
SUPERVISORY PATENT EXAMINER